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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/778,338	02/07/2001	Shiro Adaeda	SIMTEK5694	1468

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EXAMINER

LE, DANG D

ART UNIT

PAPER NUMBER

2834

DATE MAILED: 08/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application N .	Applicant(s)
	09/778,338	ADAEDA ET AL.
Examiner	Art Unit	
Dang D Le	2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 26 June 2002.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-7 and 9-11 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-7 and 9-11 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 07 February 2001 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on 26 June 2002 is: a) approved b) disapproved by the Examiner.
 

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \*    c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____.
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4</u> .	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 6/26/02 have been fully considered but they are not persuasive. The applicant's argument is on the ground that "the laminations in Uchiyama are for the core while the laminations in Neumann are for the magnets." In fact, the laminations in Neumann are also for the core of the rotor. Unlike Figure 3A the embodiment shown in Figure 1 just includes the core without magnets. As a result, it is obvious to one having ordinary skill in the art to use the plates having thickness in the range of 0.25 mm and 0.65 mm to make the cores.

Regarding applicant's argument for claim 3, in the art of motor and generator it is well known that the stators and the rotors are interchangeable and they can be switched in order to obtain the desired function (i.e. converting electrical energy to mechanical energy and vice versa.) See attached copies of Jokl, Theory and Design of Synchronous Machines, spring 1993, page 2.

Regarding applicant's argument for claim 6, in the art of motor and generator, the laminations are used in the core for the purpose of reducing eddy current. The laminations are always coated with resin or insulating material. Therefore, the plates (15) of Uchiyama are inherently insulated from each other.

Regarding applicant's argument for claim 2, it is noted that Yamamoto and Neumann show different ways to stack the core plates together. Therefore, it is obvious to one having ordinary skill in the art to use one way or the other to make the core.

As a result, the rejection is still deemed proper and repeated hereinafter.

***Claim Objections***

2. Claim 5 is objected to because of the following informalities: claim 5, line 2, replace "plate" with – plates --. Appropriate correction is required.

***Drawings***

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, "the circumferential extent" and "the range of 120 degrees to 140 degrees" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 7 and 9-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 recites the limitations "the spacing of the poles of the permanent magnets " in line 1, "the number and spacing of the coils" in line 2 and "the circumferential extent" in line 4. There is insufficient antecedent basis for those limitations in the claim. It is not clear what "their number" refers to. It is not clear

As a result, it is not clear how "their number" and "the number and spacing of the coils" are set. It is neither clear how "the circumferential extent of each of the magnet poles (the magnet electrical angle) lies in the range of 120° to 140° of such relative rotation."

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 1, 3, 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uchiyama in view of Neumann.

Regarding claim 1, Uchiyama shows a rotating machine (Figures 1a and 1b) having a plurality of permanent magnet (8) having alternating pluralities in a circumferential direction at equally spaced intervals and a relatively rotatable associated

element (11) having a plurality of armatures (15) around which coil windings (16) are formed, the armatures are formed from a lamination of a plurality of electromagnetic steel plates.

Uchiyama does not show the electromagnetic steel plates having a thickness in the range of 0.25-0.65mm.

Neumann shows electromagnetic steel plates having a thickness in the range of 0.36-0.64mm (column 4, lines 25-28) for the purpose of providing a high strength motor with minimum flux leakage.

Since Uchiyama and Neumann are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to use the electromagnetic steel plates having a thickness in the range of 0.25-0.65mm to make a stator core as taught by Neumann for the purpose discussed above.

Regarding claim 3, it is noted that Uchiyama also shows the machine comprising an electrical generator.

Regarding claim 4, it is noted that Uchiyama also shows the permanent magnets rotating and the coil windings fixed against rotation.

Regarding claim 6, it is noted that Uchiyama also shows an insulating layer (plates being coated) being fixed to at least one surface of each of the electromagnetic steel plates.

9. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Uchiyama in view of Neumann as applied to claim 1 above, and further in view of Yamamoto.

Regarding claim 2, the rotating machine of Uchiyama modified by Neumann includes all of the limitations of the claimed invention except for the electromagnetic steel plates interlocked relative to each other by series of partially punched openings forming holes and projections, which inter-fit with each other so as to line up the electromagnetic steel plates in relationship to each other and to provide a mechanical coupling there between.

Yamamoto shows the electromagnetic steel plate interlocked relative to each other by series of partially punched openings forming holes (9a) and projections (9), which inter-fit with each other so as to line up the electromagnetic steel plates in relationship to each other and to provide a mechanical coupling there between for the purpose of making an armature core.

Since Uchiyama, Neumann and Yamamoto are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to interlock the electromagnetic steel plates relative to each other by series of partially punched openings forming holes and projections, which inter-fit with each other so as to line up the electromagnetic steel plates in relationship to each other and to provide a mechanical coupling there between as taught by Yamamoto for the purpose discussed above.

10. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Uchiyama in view of Neumann as applied to claim 4 above, and further in view of Yamamoto and Nose.

Regarding claim 5, the rotating machine of Uchiyama modified by Neumann includes all of the limitations of the claimed invention except for the electromagnetic steel plates being interlocked relative to each other by series of partially punched openings forming holes and projections, which inter-fit with each other so as to line up the electromagnetic steel plates in relationship to each other and to provide a mechanical coupling there between, the partially punched openings being provided in each tooth of the stator core.

Yamamoto shows the electromagnetic steel plate interlocked relative to each other by series of partially punched openings forming holes (9a) and projections (9), which inter-fit with each other so as to line up the electromagnetic steel plates in relationship to each other and to provide a mechanical coupling there between for the purpose of making an armature core.

Nose shows the partially punched openings forming holes (14) and projections provided in each tooth of the stator core (Figure 4) for the purpose of making an armature core.

Since Uchiyama, Neumann, Yamamoto and Nose are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art interlock the electromagnetic steel plates relative to each other by series of partially punched openings forming holes and projections, which inter-fit with each other so as to line up the electromagnetic steel plates in relationship to each other and to provide a mechanical coupling there between and to provide the partially punched openings forming holes and projections in each tooth of the stator core as respectively taught by Yamamoto and Nose for the purpose discussed above.

11. Claims 7, 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uchiyama in view of Neumann as applied to claim 1 above, and further in view of Miyao.

Regarding claim 7, the rotating machine of Uchiyama modified by Neumann includes all of the limitations of the claimed invention except for the spacing of the poles of the permanent magnets and their number and the number and spacing of the coils being set so that if the degree of rotation during which each coil experiences a complete cycle of electrical current is taken as 360 degrees the circumferential extent of each of the magnet poles (the magnet electrical angle) lies in the range of 120° to 140° of such relative rotation.

Miyao shows the magnet electrical angle of the poles of the permanent magnets being set with respect to the rotational axis to be in an electrical angle of 120° for the purpose of reducing cogging torque.

Since Uchiyama, Neumann and Miyao are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to set the spacing of the poles of the permanent magnets and their number and the number and spacing of the coils so that if the degree of rotation during which each coil experiences a complete cycle of electrical current is taken as 360 degrees the circumferential extent of each of the magnet poles (the magnet electrical angle) lies in the range of 120° to 140° of such relative rotation as taught by Miyao for the purpose discussed above.

Regarding claim 9, it is noted that Uchiyama also shows the machine comprising an electrical generator.

Regarding claim 10, it is noted that Uchiyama also shows the permanent magnets rotating and the coil windings fixed against rotation.

12. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Uchiyama in view of Neumann and Miyao as applied to claim 10 above, and further in view of Yamamoto.

Regarding claim 11, the rotating machine of Uchiyama modified by Neumann and Miyao includes all of the limitations of the claimed invention except for the electromagnetic steel plate interlocked relative to each other by series of partially punched openings forming holes and projections, which inter-fit with each other so as to

line up the electromagnetic steel plates in relationship to each other and to provide a mechanical coupling there between.

Yamamoto shows the electromagnetic steel plate interlocked relative to each other by series of partially punched openings forming holes (9a) and projections (9), which inter-fit with each other so as to line up the electromagnetic steel plates in relationship to each other and to provide a mechanical coupling there between for the purpose of making an armature core.

Since Uchiyama, Neumann, Yamamoto and Miyao are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to interlock the electromagnetic steel plates relative to each other by series of partially punched openings forming holes and projections, which inter-fit with each other so as to line up the electromagnetic steel plates in relationship to each other and to provide a mechanical coupling there between as taught by Yamamoto for the purpose discussed above.

### ***Conclusion***

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Information on How to Contact USPTO***

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dang D Le whose telephone number is (703) 305-0156. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7382 for regular communications and (703) 308-7382 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

DDL  
August 19, 2002

